

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ON THE MOVE, INC.

Plaintiff,

-against-

RENTAL RESOURCES LLC, et al.,

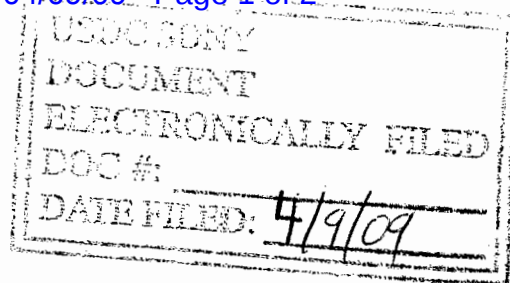
Defendants.  
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08 Civ. 11223 (DAB)  
ORDER TO SHOW CAUSE

DEBORAH A. BATTS, United States District Judge.

The Court's records indicate that the Complaint in this action was filed on December 24, 2008. On February 27, 2009 and March 2, 2009 Affidavits of Service of all Defendants in this matter were filed with the Court. To date, Defendants have neither filed an Answer nor responded to Plaintiffs' Complaint in any other way, and therefore are technically in default.

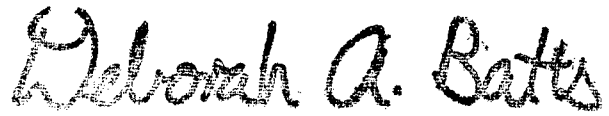
Accordingly, Plaintiff is hereby ORDERED TO SHOW CAUSE why its cause of action against Defendants should not be dismissed for failure to prosecute. See Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982) (holding that a district court's authority to dismiss an action for plaintiff's failure to prosecute "cannot seriously be doubted").



If Plaintiff fails by May 10, 2009 to either (1) show cause, or (2) move for default judgment against Defendants, Plaintiff's cause of action against Defendants shall be dismissed for failure to prosecute. Plaintiff's showing of good cause, if any, shall be made by affidavit.

SO ORDERED.

Dated: New York, New York  
April 9, 2009

A handwritten signature in black ink, reading "Deborah A. Batts". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Deborah A. Batts  
United States District Judge